

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

2013 DEC 12 PM 2:23

DEPUTY CLERK ESB

EARL WAYNE MURPHY,

Petitioner,

v.

BRIAN THOMAS,  
Potter County Sheriff,

Respondent.

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2:13-CV-171


**ORDER ADOPTING REPORT AND RECOMMENDATION  
AND DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On September 25, 2013, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein the instant habeas application be dismissed. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 12<sup>th</sup> day of December 2013.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE